

**Nampa Planning and Zoning  
Department**

**Memo**

**To:** Nampa City Clerk's Office  
**From:** Rodney Ashby  
**cc:** Shaun Nichols  
**Date:** 03/14/25  
**Re:** Alcohol License Violation- Incident Report

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Alcohol Review Committee,

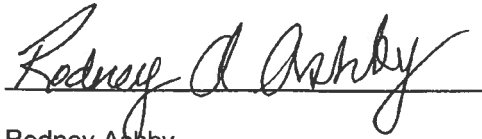
The Nampa Planning and Zoning department is reporting a possible violation of Nampa City Code ("NCC"), Title 10, 10-3-2, Zone land use controls. Alcohol Sales Establishment (Primary Use) is prohibited in the Downtown Business (DB) zone.

The Planning and Zoning department has been in ongoing communication with the owner of S&G Retail LLC d/b/a Eskimo Hut (Simon Hernandez, "Licensee"), holder of Alcohol License No. 2024-148, for a long period of time. This started on or around July 31, 2024, a Planning & Zoning Building Official and I met Licensee in person. We brought the Licensee the original paperwork that showed its sales projections were 35-40% alcohol. From our observation, it appeared clear that alcohol sales exceeded that estimate by a large margin. We requested Licensee to produce verification of alcohol sales less than 40% to satisfy Nampa Planning and Zoning code for the DB zone. Included herewith are photographs taken from that on-site visit.

After Licensee did not provide the required sales information, the City sent its first certified letter on December 12, 2024, which Licensee received on December 16, 2024. A second written notice was sent January 17, 2025, via certified letter but returned and unopened February 7, 2025. Correct and true copies of these letters and other materials substantiating a possible violation of NCC 10-3-2 are provided herewith.

After reviewing NCC 5-12-14 subsection (III)(B) of the applicable Alcohol Beverage Control standards and penalties, I am submitting this incident report to the Alcohol Review Committee to determine whether a preponderance of evidence exists to find Licensee, its employees, or agents, committed a license violation. I believe one area of the point system in the City Code that should be considered is NCC 5-12-14.III.B subsection 17 "General violations," for Licensee's failure since July 2024 to prove it complies with Nampa's zoning laws in the DB zone.

Respectfully submitted,

A handwritten signature in cursive script, reading "Rodney A. Ashby", is written over a horizontal line.

Rodney Ashby

Planning and Zoning Department

<b>Commercial Land Use/ Building Occupancy Type</b>	<b>U</b>	<b>AG</b>	<b>RA</b>	<b>RS</b>	<b>HC</b>	<b>RD</b>	<b>RML</b>	<b>RMH</b>	<b>RP</b>	<b>BN</b>	<b>DB</b>	<b>DV</b>	<b>DH</b>	<b>BC</b>
Auction sales (no livestock in BC)														C
Automobile or truck sales, new												C		P
Automobile or truck sales, used														P
Automobile parts and accessories												C		P
Alcohol Sales Establishment, Primary Use <sup>1</sup>												C	C	C

**ALCOHOL SALES ESTABLISHMENT (PRIMARY USE):** Any premises where beer, wine or liquor is sold for consumption on premises and liquor receipts constitute **forty percent (40%) or more of gross receipts**, including but not limited to: bars, lounges and nightclubs, brewery, wineries, distilleries, etc. This definition does not apply if a business' primary sales other than alcohol, exceed sixty percent (60%). When alcohol sales are not distinguishable from the fee or sale of another service or product, the Planning Director or his/her designee shall review each business plan on a case by case basis to determine whether this definition applies.

NEW PERMIT

Summary

Details

Location

Additional Info

Workflow

Linked Records

GENERAL INFORMATION

IMPACT FEES

GIS PARCEL PROFILE

IMPACT CREDIT

IRRIGATION CREDIT

Scope of Work

Adding walls for new restaurant. MEP

Construction Type

☐ Type I-A

☐ Type I-B

☐ Type II-A

☐ Type II-B

0

Occupancy By Group Commercial

☐ Assembly (A-1)

☐ Assembly (A-2)

☐ Assembly (A-3)

☐ Assembly (A-4)

0

NEW PERMIT

Correction Letter Sent by Email • PMACT-096294-07-22Y

Activity Name  
Bldg. Created On  
07/27/2022

Created By  
Jenkins, Dawna

Activity Comments  
Bldg.

Initial Review Started • PMACT-096182-07-22Y

Activity Name  
Bldg. Created On  
07/26/2022

Created By  
Jenkins, Dawna

Activity Comments

Note / Comment • PMACT-096111-07-22Y

Activity Name  
Created On  
07/25/2022

Created By  
Watkins, Kristi

Activity Comments  
RESOLVED - Alcohol Sales NOT  
ALLOWED IN THIS ZONE - Jeff Likes  
provided a list of inventory for sale to  
better categorize the use



Additional Info

Workflow

Linked Records

Holds

Contacts (3)

Fees (7)

**From:** Ricardo Lopez <gachol1624@gmail.com>  
**Sent:** Tuesday, July 26, 2022 8:52 AM  
**To:** Jeff Likes <Jeff@alcarchitecture.com>  
**Subject:** Eskimo hut

Eskimo Hut  
224 2nd St Nampa Idaho, 83651

35-40 % of Sales.

Wine based daiquiris and other alcoholic beverages.

30% of Sales

Tobacco products such as cigarettes, cigars, etc..

25% of Sales C-store items;

Chips(domestic & imported), jerkies, candies,etc..

Non- alcoholic beverages, water, sodas, energy drinks, juices, etc..

Non-alcoholic daiquiris- Over 100 flavor combinations  
Lighters, car chargers, sunglasses, etc..

5% of Sales- Store merchandise  
Hats, shirts, hoodies, lanyards, Etc..















## SINGLE FLAVORS

BANANA  
BLUE HAWAIIAN  
BLUE MARGARITA  
CHERRY  
COCONUT  
GRAPE  
HURRICANE  
KIWI  
LEMON  
MAITAI

MANGO  
MARGARITA  
ORANGE  
PEACH  
PINA COLADA  
PINEAPPLE  
RASPBERRY  
SOUR APPLE  
STRAWBERRY  
WATERMELON

Add a sour kick to any drink: FREE

## LONE STAR DAIQUIRIS

VODKA

BLUEBONNET  
THE BIG D

TEQUILA

TEQUILA SUNRISE  
CACTUS JUICE

(Pina Colada + Blue Hawaiian + Pineapple)  
(Watermelon + Sour Lemon)  
(Cherry + Orange)  
(Pineapple + Kiwi + Margarita)

## JELLO SHOTS + LOADED GUMMIES

JELLO SHOT (Blue Hawaiian, Cherry, Green Apple, Watermelon)  
GUMMY RINGS (Peach)  
GUMMY BEARS (Assorted)  
GUMMY WORMS (Assorted)  
SOUR WORMS (Assorted)

Triple Shot Tuesday  
Double Shot Wednesday  
Half-Off Thursday

Tuesday  
Wednesday  
Thursday





Individual Jello/Cummy  
\$1.49 EACH

Texas Half Dozen (8)  
\$8.99

Texas Dozen (15)  
\$13.99

Party Pack (50)  
\$36.99

H.O.T. - HALF OFF THURSDAYS  
ON ALL JELLO/CUMMY VARIETY PACKS!



Watermelon  
Jello Pie



Green  
Apple  
Jello Pie



Texas  
Dozen

TEXAS  
DOZEN  
JELLO/CUMMIES



DOUBLE SHOT  
WEDNESDAY

Buy 1 Shot

get your 2nd

shot for **FREE**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert Venable  
6126 W. State  
Boise, ID 83703



2. Article Number (Transfer from service label)  
9589 0710 5270 2231 4791 71

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ Agent
- B. Received by (Printed Name) ☐ Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

3. Service Type
- ☐ Adult Signature
  - ☐ Adult Signature Restricted Delivery
  - ☒ Certified Mail®
  - ☐ Certified Mail Restricted Delivery
  - ☐ Collect on Delivery
  - ☐ Collect on Delivery Restricted Delivery
  - ☐ Insured Mail
  - ☐ Insured Mail Restricted Delivery (over \$500)
  - ☐ Priority Mail Express®
  - ☐ Registered Mail™
  - ☐ Registered Mail Restricted Delivery
  - ☐ Return Receipt for Merchandise
  - ☐ Signature Confirmation®
  - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt





## SECOND NOTICE AND ORDER FOR REQUEST OF INFORMATION

January 17<sup>th</sup>, 2025

To: Robert Venable at Venable Professional Center  
6126 W. State St.  
Boise, ID 83703

RE: 2<sup>nd</sup> Notice and Order for Eskimo Hut Business located at 224 2<sup>nd</sup> St. S. Nampa, ID 83651

**YOU ARE HEREBY NOTIFIED;** that a request for information was required from you in regard to your alcohol sales at: **224 2<sup>nd</sup> St. S. Nampa, ID 83651** on December 12<sup>th</sup>, 2024. The City of Nampa has been notified that the Eskimo Hut is operating as an "Alcohol Sales Establishment, Primary Use," which is not a permitted use in the zoning district. You provided estimates of alcohol sales being less than 40% of the revenue prior to the business opening. With that estimate, staff approved the business to obtain a certificate of occupancy. If you are unable to provide this documentation you must contact us so we can discuss what that means for your business. **Failure on your part to respond to this notice will lead us to act as outlined in paragraph C. below under Corrective action.**

Eskimo Hut 224 2<sup>nd</sup> St S – DB (Downtown Business) zone

<b>Commercial Land Use/ Building Occupancy Type</b>	<b>U</b>	<b>AG</b>	<b>RA</b>	<b>RS</b>	<b>HC</b>	<b>RD</b>	<b>RML</b>	<b>RMH</b>	<b>RP</b>	<b>BN</b>	<b>DB</b>	<b>DV</b>	<b>DH</b>	<b>BC</b>
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than alcohol, exceed sixty percent (60%). When alcohol sales are not distinguishable from the fee or sale of another service or product, the Planning Director or his/her designee shall review each business plan on a case-by-case basis to determine whether this definition applies.

The infractions listed below require an immediate response and action by the property owner:

**10-2-6. - Violations and penalties.**

*A. Authority.* In any case where any building or structure is erected, constructed, reconstructed, altered, converted or maintained or any building, structure or land is used in violation of this title, as determined by the planning director, his/her designee or a code enforcement officer or otherwise other proper legal authorities of the city, that authority may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy or use of said building, structure, or land, or to prevent any illegal act, conduct, business or use in or about such building, structure or land. In exercising enforcement authority, the city representative shall follow any specific remedial/enforcement sections listed in relevant chapters of this title (e.g., as listed for signs and temporary uses) or, in their absence, adhere to the provisions of this section specifically.


Upon the awareness of any violation of any of the provisions of this title the planning director, his/her designee, or, a code enforcement officer shall serve notice of such violation on the person committing or permitting the same, and if such violation has not ceased within such reasonable length of time as the planning director, or his/her designee, or, a code enforcement officer may determine, he/she will take action as may be necessary to terminate the violation as specified below.

*B. Compliance notice.* Upon the awareness of any violation of any of the provisions of this title, before abating any unlawful activity the planning director, or his/her designee, or a code enforcement officer shall first serve notice of such violation on the person committing or permitting the same.

*C. Corrective action.* If such violation has not ceased within such reasonable length of time as the planning director, or, his/her designee, or a code enforcement officer may determine, then the planning director, or his/her designee or a code enforcement officer shall take such action as may be necessary to terminate the violation. This may infer initial issuance of a citation, solicitation of assistance from other local authorities, abatement of a nuisance, posting of some type of cease and desist or stop work order, withholding a certificate of occupancy or building permit, etc., or pursuit of legal remedies.

**YOU ARE HEREBY ORDERED;** that if the Owner fails to provide acknowledgement of receipt of this order within 15 working days from the date of this notice and order, the City of Nampa shall take appropriate legal action in accordance with the provisions of the Nampa, Idaho Code of Ordinances listed above in chapter 10-2-6 Section C.

Dated the 17<sup>th</sup> day of January 2025



Rodney Ashby  
Planning Director

CC: Shaun Nichols - Assistant Building Official  
Kristi Watkins – Principal Planner  
Jacquie Penny – Building Safety